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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 LORENZO MENDOZA MARTINEZ,  
9 ELIU MENDOZA, ELIEZER MENDOZA  
10 MARTINEZ, and GLORIA MARTINEZ  
11 MONTES,

No. C 11-03194 WHA

12 Plaintiffs,

13 v.

14 AERO CARIBBEAN, EMPRESA  
15 AEROCARIBBEAN S.A., CUBANA DE  
16 AVIACION S.A., and AVIONS DE  
17 TRANSPORT REGIONAL,

**ORDER RE LETTER FROM  
RICHARD STRATTON**

18 Defendants.  
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20 Attorney Richard Stratton has written two letters to the Court stating that he may  
21 eventually file a motion for relief from the Clerk's default herein against Aerocaribbean S.A.  
22 and Cubana De Aviacion S.A. but that his firm has not yet obtained a federal license to do  
23 business with said entities and due to backlogs within the agency, no estimate of when such a  
24 license will be obtained can be given. Moreover, his letters stated that the purpose of the  
25 motion would be to contest service of process and/or personal jurisdiction, not to defend on the  
26 merits (Dkt. Nos. 80, 82, 86).

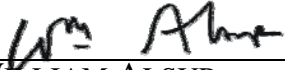
27 This is too little, too late. The service was accomplished long ago in this old case.  
28 The Cuban entities have had plenty of time to come forward and contest jurisdiction and  
service. They have waited until the eve of a default judgment to seek to go back to square one.  
If counsel were saying that the entities would appear and litigate on the merits, then the Court  
would be more sympathetic to a motion to set aside the default. But after all this time, it would  
only reward gamesmanship to allow the Cuban entities to appear specially to contest

1 jurisdiction and service. This is even more true since no motion has actually been filed by them  
2 and may not even be filed in the foreseeable future.

3 Attorney Richard Stratton is an esteemed member of the bar of this Court and will surely  
4 appreciate that too little jurisdiction has been given for the Court to delay hearing the motion for  
5 entry of default judgment (Dkt. No. 85).

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7 **IT IS SO ORDERED.**

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9 Dated: June 9, 2014.

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11 WILLIAM ALSUP  
12 UNITED STATES DISTRICT JUDGE  
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